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10 E-FILED \*\*\*12/7/06\*\*\*

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN JOSE DIVISION

14 UNITED STATES OF AMERICA,	CASE NO. CR-05-00734 RMW
15 Plaintiff,	STIPULATION TO CONTINUE 16 DATE SET FOR JUDGMENT 17 AND SENTENCE, AND 18 <u>proposed</u> ORDER THEREON
19 vs.	
20 MOISES NUNEZ, et al.,	
21 Defendants.	

22 IT IS HEREBY STIPULATED, by and between counsel for Defendant MOISES  
23 NUNEZ and counsel for the UNITED STATES OF AMERICA, that the date set for judgment  
24 and sentence of Mr. NUNEZ of December 11, 2006, at 2:00 pm, be continued to Monday,  
25 February 5, 2007, at 2:00 pm, as Mr. NUNEZ has just met with his probation officer, and  
26 the U.S. Attorney's Office is anticipating further cooperation from Mr. NUNEZ.

27 SO STIPULATED.

28 DATED: November 28, 2006

CAREY & CAREY

29 /s/

30 JERRY Y. FONG, Attorneys for  
31 Defendant MOISES NUNEZ

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1 DATED: 11/28/06

2 UNITED STATES OF AMERICA,

3 /s/

4 MARK L. KROTOSKI,  
5 Assistant U.S. Attorney

6 ORDER

7 GOOD CAUSE APPEARING THEREFORE, and upon stipulation of the parties, that  
8 the date set for judgment and sentence of Defendant MOISES NUNEZ of December 11,  
9 2006 be vacated, and a new date of February 5, 2007, at ~~2:00~~ pm be set for Defendant  
10 NUNEZ' judgment and sentencing hearing. ~~2:00~~ 9:00 a.m.

11 DATED: 12/7/06, 2006

12 /s/ Ronald M. Whyte

13 HON. RONALD W. WHYTE  
14 U.S. District Court Judge